

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 1:22-cv-22171-JEM

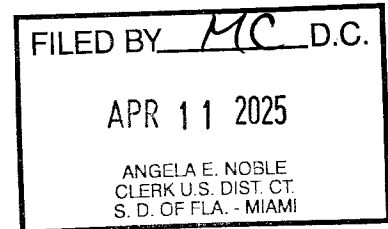
MICHAEL FITZGERALD,
individually, and YELANY DE VARONA,
individually,

Plaintiffs,

v.

RONDA MCNAE, individually, and
WILLIAM MCNAE, individually,

Defendants.



**DEFENDANT'S RESPONSE TO MS. WOMBLE'S EMERGENCY
MOTION TO WITHDRAW AND REQUEST TO PROCEED PRO SE**

COMES NOW, Defendant, Ronda McNae, and respectfully submits this Response to the Emergency Motion to Withdraw filed by attorney Nichelle Lynn Womble (DE 366), and states as follows:

1. I do not oppose Ms. Womble's motion to withdraw as counsel. I respectfully request that this Court grant the motion and permit me to proceed *pro se* for the remainder of this matter.
2. I recognize that, as Judge Martinez previously advised in open court, "*you need to get along with your attorney*" and "*you hired her.*" I took this to heart and worked in good faith to maintain the attorney-client relationship even when that trust was being tested. Despite my

efforts, irreconcilable differences have developed that now make continued representation untenable.

3. Ms. Womble was the only attorney willing to take my case from the ARAG Legal Insurance network after outreach in December 2024. My husband and I contacted over 60 firms listed as in-network. ARAG did not formally retain Ms. Womble until February 2025.
4. A recent breakdown in communication and trust has made it clear that Ms. Womble and I cannot continue forward effectively. For instance, she declined to object to Fitzgerald's use of a former SoftwareONE employee as a witness, despite a prior agreement that all parties would not seek discovery or testimony from current or former employees. This agreement is in writing and was known to all counsel.
5. I want to be clear that I have no intention of delaying these proceedings. I am fully capable of preparing and submitting the required final filings, including proposed Findings of Fact and Conclusions of Law. However, I no longer have confidence that Ms. Womble will represent my interests or preserve my rights to appeal.
6. It is also important to point out that opposing counsel previously did not object to Ms. Womble's withdrawal, as certified under Local Rule 7.1 in her earlier pre-trial Emergency Motion (DE 324, March 21, 2025). Their sudden reversal in DE 366—now objecting to the same relief—appears strategically motivated, particularly as we near the final stages post-trial.
7. Moreover, opposing counsel has no insight into the attorney-client relationship between Ms. Womble and myself and does not hold any privilege that would entitle them to comment on the quality of my legal representation. While I initially opposed her

withdrawal pre-trial out of concern for continuity, that position no longer reflects the reality of our interactions.

WHEREFORE, I respectfully request that the Court:

- GRANT the Emergency Motion to Withdraw (DE 366);
- PERMIT me to proceed *pro se* in this matter;
- And grant any other relief the Court deems just and proper.

Respectfully submitted,



By: Ronda McNae
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing will be hand-delivered to the Clerk of Court for filing. All parties will receive a copy through the Court's CM/ECF system once the filing is accepted. As I am not officially recognized as *pro se* until the Court grants the motion, this document is submitted in anticipation of that status.

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